

REMARKS

In the Examiner's Office Action, the Examiner has deemed the requirement for Restriction to be proper and therefore has made the restriction final. Accordingly, claims 1-8 have been withdrawn from further consideration by the Examiner, as being drawn to a non-elected invention, and accordingly, only claims 9-21 are being considered for prosecution in the present application.

Claims 9-12, 16-18 and 20-21 have been rejected by the Examiner under 35 U.S.C. § 102(e) as being anticipated by Fujita (U.S. Patent 6,582,504). Claims 13-15 have been rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Fujita in view of Himeshima et al. (U.S. Patent 6,592,933). Also, claim 19 has been rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Fujita in view of Mourrellone (U.S. Patent 4,542,693). These rejections are respectfully traversed.

In rejecting the claims of the present application, all of said rejections rely upon either the Fujita patent alone, or in combination with secondary references. Accordingly, if the Fujita patent could be eliminated as an effective reference against the present application, all of the rejections made by the Examiner must fail. As the Examiner will note, the filing date of the Fujita patent is November 21, 2000. On the other hand, the foreign priority date of the priority document of the present application is April 21, 2000. Therefore,

the effective filing date of the present application antedates the effective reference date of the Fujita patent by seven (7) months, thereby eliminating the Fujita patent as an effective reference against the subject matter of the present application.

To perfect the filing date of the April 21, 2000 and remove the Fujita patent as an effective reference against the present application, the Applicants are submitting herewith a Certified English translation of the priority document of the present application. Accordingly, it is believed that the rejection of the claims as set forth in paragraphs 4, 7 and 8 of the Examiner's Office Action, have been eliminated.

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of the claims of the present application are respectfully requested.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mr. Joseph A. Kolasch (Reg. No. 22,463) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicant respectfully petitions for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$110.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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Attachments: Statutory Declaration
Translation of Priority Document